

## **REMARKS**

The present Amendment is in response to the Examiner's Office Action mailed January 24, 2006. Claims 1, 16, and 20 are amended. Claims 1-32 are now pending in view of the above amendments.

Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants understanding and discussion of the references, if any, is consistent with the Examiner's understanding.

### **I. Obviousness Type Double Patenting Rejection**

In the Office Action, the Examiner rejects claims 1, 12-14, and 16 under the judicially created doctrine of obviousness-type double patenting in view of Application Serial No. 10/420,027. Applicants submit herewith a terminal disclaimer relative to Application Serial No. 10/420,027 in order to overcome this rejection. Withdrawal of this rejection and allowance of the pending claims is respectfully requested in view of the terminal disclaimer.

### **II. PRIOR ART REJECTIONS**

#### **A. Rejections Under 35 U.S.C. § 103**

The Examiner rejects claims 1-8 and 15-17 and 20-27 under 35 U.S.C. § 103 as being unpatentable over *Casper* (U.S. Patent No. 6,075,634) in view of *Dai* (U.S. Patent Application Publication 2003/0011847).

Applicants traverse the Examiner's rejection for obviousness on the grounds that the references – either individually or in combination – fail to teach or suggest each and every element of the rejected claims. By contrast to the presently claimed invention, *Casper* does not teach or suggest a serial electrical interface with an electrical output port and an electrical input port as is presently claimed. The Examiner asserts that *Casper* discloses a serial electrical interface with an electrical output port and an electrical input at Col. 2, ll. 4-9, which recites,

To compensate for signal degradation resulting from the very substantial 'long haul' fiber distances between transponder sites, and the timing jitter customarily present in low cost short haul fiber optic transceiver components, the output of the front end's opto-electronic converter receiver is reshaped and retimed into a highly precise serial data signal by a clock recovery-based transmitter regenerator unit.

Although serial data is discussed, the data is discussed in the context of the CDR within the device. In terms of interfaces, *Casper* teaches "architecture of a full duplex transponder for interfacing a short haul high speed fiber optic data link, such as a Gigabit Ethernet (GbE) LAN, with a long distance fiber optic link." (See Col. 3, ll. 43-46). Both of these links are clearly optical links, such that *Casper* does not teach or suggest a serial electrical interface with an electrical output port and an electrical input port as is claimed. In view of *Casper*'s failure to teach or suggest a serial electrical interface with an electrical output port and an electrical input port as is claimed, Applicants submit that the Examiner has failed to set forth a *prima facie* case for obviousness and respectfully request that the rejection be withdrawn.

The Examiner rejects claims 9-11 and 18-19 and 28-30 under 35 U.S.C. § 103 as being unpatentable over *Casper* in view of *Dai* and further in view of *Schaepperle* (U.S. Patent No. 6,469,782). The Examiner further rejects claims 12-14 and 31-32 as being unpatentable over *Casper* in view of *Dai* and in further view of *Liou* (U.S. Patent Application Publication 2002/0060824). As previously discussed, *Casper* fails to teach or suggest a serial electrical interface with an electrical output port and an electrical input port as is claimed. In view of *Casper*'s failure to teach or suggest a serial electrical interface with an electrical output port and an electrical input port as is claimed, Applicants submit that the Examiner has failed to set forth a *prima facie* case for obviousness and respectfully request that the rejections be withdrawn.

**CONCLUSION**

In view of the foregoing, Applicants believe the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 26<sup>th</sup> day of June, 2006.

Respectfully submitted,



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